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July 9, 2020

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VIA ECF

The Honorable Stewart D. Aaron
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Request GRANTED. The settlement conference is adjourned sine die. The parties shall contact Magistrate Judge Aaron within ten days of the Second Circuit's decision on the consolidated appeal referenced below with respect to rescheduling a settlement conference. SO ORDERED.

Dated: July 9, 2020

Stewart D. Aaron

Re: *Delacruz v. The Yankee Candle Company, Inc.*, Case No. 1:19-cv-10999-AT
Joint Letter Motion to Adjourn the Settlement Conference on July 22, 2020

Dear Judge Aaron:

We represent Defendant The Yankee Candle Company, Inc. in the above-referenced action concerning store gift cards and ADA accessibility. The parties jointly move to adjourn the Settlement Conference currently scheduled for July 22, 2020. As the Court may be aware, a consolidated appeal currently is being briefed before the U.S. Court of Appeals for the Second Circuit in *Mendez v. AnnTaylor, Inc.*, Case No. 20-1550, concerning the same issues related to gift cards and ADA accessibility in this case. The Appellant's Brief and Appellee's Brief currently are due July 20, 2020 and August 24, 2020, respectively. The parties do not believe that a Settlement Conference would be productive or efficient until the Second Circuit has decided legal issues identical to those here.

The parties propose that a new date be set either within 60 days of a decision by the Second Circuit or 15 days after the close of discovery, currently set for October 29, 2020, whichever is earlier. This is the parties' first request for an adjournment. Both Plaintiff and Defendant consent.

We thank the Court for its consideration.

Respectfully submitted,

/s/ Brett F. Clements

Brett F. Clements

cc: Jeffrey M. Gottlieb, Esq. (via ECF)
Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Joint Letter Motion to Adjourn the Settlement Conference on July 22, 2020 was served via ECF on all counsel of record.

Dated: July 9, 2020

By: /s/ Brett F. Clements
Brett F. Clements